## REMARKS

The Applicant respectfully requests further examination and reconsideration in view of the amendments made above and the arguments made below. Claims 1-32 were pending. Within the Office Action, Claims 4-14 and 18-32 have been objected to and Claims 1-3 and 14-17 have been rejected. By the above amendments, Claims 1-13, 15-25 and 30 have been amended, and Claims 26-29 and 31 have been canceled. Accordingly, Claims 1-25, 30 and 32 are now pending.

### Objections to the Claims

Within the Office Action, Claims 4-13 and 18-32 have been objected to under 37 C.F.R. 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other dependent claim. By the above amendments, Claims 4-13, 18-25 and 30 have been amended so that they do not depend improperly. Additionally, Claims 26-29 have been canceled. Therefore, the objections to the claims should be withdrawn.

### Rejections under 35 U.S.C. § 103

Within the Office Action, Claims 1-3, 15 and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,633,746 to Walsh et al. (Walsh) in view of U.S. Patent Pub. No. 2002/0024947 to Luzzatti et al. (Luzzatti). Applicant respectfully disagrees.

Walsh is directed to a pager with a touch-sensitive display screen and method for transmitting a message. The pager is operative to convert the inputted symbols into a text message and transmit the text message to a paging network. [Walsh, Abstract] As is recognized within the Office Action, Walsh does not teach wherein the data processor is operable in combination with the wireless communications processor to communicate a presence signal providing an indication that the mobile graphics device is available to send and move ink data to at least one other graphics display device of a predefined group of graphics display devices, to receive the presence signal from the other graphics display device, the presence signal being indicative that the other graphics display device is available to send and/or receive ink data from the mobile graphics display device, the data processor being operable in response to the presence signal to display an indication on the graphics display screen that the other device is available to send and to receive ink data, and following receipt of the presence signal from the other graphics

display device, to send and to receive the ink data to and from the other graphics display device. Walsh teaches that a symbol written on a first pager is converted to text. Walsh further teaches that it is this text that is displayed on a second pager, not the symbol written on the first pager (ink data).

Moreover, the MPEP also states, "[a] prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention." W.L. Gore & Associates, Inc. v. Garlock, Inc. 721 F.2d 1540 (Fed. Cir. 1983); MPEP § 2141.02 (VI). In light of this requirement of the MPEP, it is clearly improper to use Walsh since Walsh specifically teaches away from ink-based systems. Walsh teaches, "[b]ecause the pager transmits the content represented by the inputted symbols, the pager of the preferred embodiments is more versatile than pagers using ink-based systems, which merely transmit the image of the inputted symbol." [Walsh, Abstract] Therefore, since the claims of the Present Application include ink data, Walsh does not teach the claimed invention.

Luzzatti teaches systems and methods related to communications availability. Specifically, Luzzatti teaches, [t]he 'presence' of a device is an indicator about the devices current 'status' such as online, offline, away, busy, connected, silent, or busy. [Luzzatti, Paragraph 47] Luzzatti also illustrates an example of Internet usage with two subscribers A and B. [Figure 4] However, Luzzatti does not teach ink data. Luzzatti does not teach to communicate a presence signal providing an indication that the mobile graphics device is available to send and move ink data to at least one other graphics display device of *a predefined group of graphics display devices*. Although Figure 4 is cited within the Office Action as teaching a predefined group of graphics display devices, there is no evidence of a *predefined* group in Figure 4. Furthermore, Luzzatti does not teach *to communicate* a presence signal and *to receive* the presence signal from the other graphics display device.

In contrast to Walsh, Luzzatti and their combination, the presently claimed invention is directed to a mobile graphics display device, comprising a touch sensitive display screen coupled to a touch screen processor, the touch screen processor being operable to generate first ink data representative of an input drawing action applied to the touch sensitive display screen, a graphics display and a graphics image processor operable to display images representative of at least the first ink data on the graphics display, and a data processor operable in combination with a wireless communications processor to communicate the first ink data from the mobile graphics display device to another graphics display device, to receive other ink data created by the other graphics display device, the other ink data being representative of an other drawing action, the

graphics image processor being operable to generate a representation of the other ink data with respect to the representation of the first ink data according to a common reference, wherein the data processor is operable in combination with the wireless communications processor to communicate a presence signal providing an indication that the mobile graphics device is available to send and move ink data to at least one other graphics display device of a predefined group of graphics display devices, to receive the presence signal from the other graphics display device, the presence signal being indicative that the other graphics display device is available to send and/or receive ink data from the mobile graphics display device, the data processor being operable in response to the presence signal to display an indication on the graphics display screen that the other device is available to send and to receive ink data, and following receipt of the presence signal from the other graphics display device, to send and to receive the ink data to and from the other graphics display device.  As described above, Walsh, Luzzatti and their combination do not teach ink data.  Walsh, Luzzatti and their combination do not teach displaying on a second device, a symbol written on a first device (ink data) as it was written.  As described above, Walsh teaches that a symbol written on a first pager is converted to text and that text is displayed on a second pager.  Walsh, Luzzatti and their combination also do not teach to communicate a presence signal providing an indication that the mobile graphics device is available to send and move ink data to at least one other graphics display device of *a predefined group of graphics display devices*.  Furthermore, Walsh, Luzzatti and their combination do not teach *to communicate* a presence signal and *to receive* the presence signal from the other graphics display device.

The independent Claim 1 is directed to a mobile graphics display device.  The device of Claim 1 comprises a touch sensitive display screen coupled to a touch screen processor, the touch screen processor being operable to generate first ink data representative of an input drawing action applied to the touch sensitive display screen, a graphics display and a graphics image processor operable to display images representative of at least the first ink data on the graphics display, and a data processor operable in combination with a wireless communications processor to communicate the first ink data from the mobile graphics display device to another graphics display device, to receive other ink data created by the other graphics display device, the other ink data being representative of other drawing action, the graphics image processor being operable to generate a representation of the other ink data with respect to the representation of the first ink data according to a common reference, wherein the data processor is operable in combination with the wireless communications processor to communicate a presence signal

providing an indication that the mobile graphics device is available to send and move ink data to at least one other graphics display device of a predefined group of graphics display devices, to receive the presence signal from the other graphics display device, the presence signal being indicative that the other graphics display device is available to send and/or receive ink data from the mobile graphics display device, the data processor being operable in response to the presence signal to display an indication on the graphics display screen that the other device is available to send and to receive ink data, and following receipt of the presence signal from the other graphics display device, to send and to receive the ink data to and from the other graphics display device. As described above, Walsh, Luzzatti and their combination do not teach ink data. Walsh, Luzzatti and their combination do not teach displaying on a second device, a symbol written on a first device (ink data) as it was written. As described above, Walsh teaches that a symbol written on a first pager is converted to text and that text is displayed on a second pager. Walsh, Luzzatti and their combination also do not teach to communicate a presence signal providing an indication that the mobile graphics device is available to send and move ink data to at least one other graphics display device of *a predefined group of graphics display devices*. Furthermore, Walsh, Luzzatti and their combination do not teach *to communicate* a presence signal and *to receive* the presence signal from the other graphics display device. For at least these reasons, the independent Claim 1 is allowable over the teachings of Walsh, Luzzatti and their combination.

Claims 2 and 3 are both dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over Walsh, Luzzatti and their combination. Accordingly, Claims 2 and 3 are both also allowable as depending on an allowable base claim.

The independent Claim 15 is directed to a method of exchanging hand drawn data. The method of Claim 15 comprises generating first ink data representative of drawing action applied to a touch sensitive display screen, displaying images representative of the first ink data on a graphics display, communicating the first ink data from the mobile graphics display device to another graphics display device, via a wireless communications link and receiving other ink data from the other graphics display device, the other ink data being representative of other drawing action, and receiving the other ink data and generating in combination with the graphics image processor a representation of the other ink data with respect to the representation of the first ink data, communicating a presence signal providing an indication that the mobile graphics device is available to send and receive ink data to at least one other graphics display device of a predefined group of graphics display devices, receiving the presence signal from the other graphics display device, the presence signal being indicative that the other graphics display device is available to

send and/or receive ink data from the mobile graphics display device, in response to the presence signal, displaying an indication on the graphics display screen that the other device is available to send and to receive ink data, and following receipt of the presence signal from the other graphics display device to send and to receive the ink data to and from the other graphics display device. As described above, Walsh, Luzzatti and their combination do not teach ink data. Walsh, Luzzatti and their combination do not teach displaying on a second device, a symbol written on a first device (ink data) as it was written. As described above, Walsh teaches that a symbol written on a first pager is converted to text and that text is displayed on a second pager. Walsh, Luzzatti and their combination also do not teach to communicate a presence signal providing an indication that the mobile graphics device is available to send and move ink data to at least one other graphics display device of *a predefined group of graphics display devices*. Furthermore, Walsh, Luzzatti and their combination do not teach *communicating* a presence signal and *receiving* the presence signal from the other graphics display device. For at least these reasons, the independent Claim 15 is allowable over the teachings of Walsh, Luzzatti and their combination.

Claim 16 is dependent on the independent Claim 15. As described above, the independent Claim 15 is allowable over Walsh, Luzzatti and their combination. Accordingly, Claim 16 is also allowable as depending on an allowable base claim.

Within the Office Action, Claim 14 has been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publ. No. 2003/018631 to Malik (Malik) in view of Walsh. Applicant respectfully disagrees.

Malik teaches a first communications client of a first user detecting a change in the presence status of a first user and sending an alert message to a second communications client of a second user. [Malik, Abstract] However, Malik does not teach ink data. Malik does not teach the connection information including a list of graphics display devices associated in accordance with a defined group to identify presence information in accordance with whether one or more of the predefined group of devices is available to exchange ink data.

As described above, Walsh teaches away from ink data. Furthermore, Walsh does not teach the connection information including a list of graphics display devices associated in accordance with a defined group to identify presence information in accordance with whether one or more of the predefined group of devices is available to exchange ink data.

The independent Claim 14 is directed to a server plug-in operable in combination with an instant messaging server and a data store, the plug-in being operable to receive ink data from a

plurality of sources and to store the ink in the data store in association with a common reference space, to maintain connection information in association with the ink data stored in the data store, the connection information including a list of graphics display devices associated in accordance with a defined group, to identify presence information in accordance with whether one or more of the predefined group of devices is available to exchange ink data, and consequent upon one or more devices being identified, to communicate ink data from a device from the group to any of the other graphics display devices of the group which are identified as being present. As described above, Malik, Walsh and their combination do not teach ink data. Furthermore, Malik, Walsh and their combination do not teach the connection information including a list of graphics display devices associated in accordance with a defined group to identify presence information in accordance with whether one or more of the predefined group of devices is available to exchange ink data. For at least these reasons, the independent Claim 14 is allowable over the teachings of Malik, Walsh and their combination.

Within the Office Action, Claim 17 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Walsh in view of Luzzati and further in view of U.S. Patent Publ. No. 2002/0143994 to Sun (Sun). Applicant respectfully disagrees.

Claim 17 is dependent on the independent Claim 15. As described above, the independent Claim 15 is allowable over Walsh, Luzzatti and their combination. Accordingly, Claim 17 is also allowable as depending on an allowable base claim.

**Remaining Claims**

These claims are now pending since the improper multiple dependency issue has been resolved.

Claims 4-7 are all dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over Walsh, Luzzatti and their combination. Accordingly, Claims 4-7 are all also allowable as depending on an allowable base claim.

The independent Claim 8 is directed to a server for use with at least one graphics display device, the server comprising a data communications processor operable to receive ink data from a first graphics display device and to receive ink data from at least one other graphics display device, a server control processor operable to store the ink data from the first graphics display device and the ink data from the other graphics display device in a data store in accordance with a sequence of receipt, wherein the server control processor is operable in combination with the data communications processor to communicate the ink data from the first graphics display

device to the other graphics display device, and to communicate the ink data from the other graphics display device to the first graphics display device, wherein the data communications processor includes a connection control processor operable to maintain connection information, the connection information including a list of graphics display devices associated in accordance with a defined group, and the server control processor is operable to identify presence information in accordance with whether one or more of the predefined group of devices is available to exchange ink data, and consequent upon one or more devices being identified, the server control processor is operable to communicate ink data from a device from the group to any of the other graphics display devices of the group which are identified as being present. For at least the same or similar reasons above, the independent Claim 8 is allowable over the prior art.

Claims 9-13 are all dependent on the independent Claim 8. As described above, the independent Claim 8 is allowable over the prior art. Accordingly, Claims 9-13 are all also allowable as depending on an allowable base claim.

Claims 18-24 are all dependent on the independent Claim 15. As described above, the independent Claim 15 is allowable over Walsh, Luzzatti and their combination. Accordingly, Claims 18-24 are all also allowable as depending on an allowable base claim.

The independent Claim 25 is directed to a pair of graphics display devices, each device of the pair being a mobile graphics display device comprising a touch sensitive display screen coupled to a touch screen processor, the touch screen processor being operable to generate first ink data representative of an input drawing action applied to the touch sensitive display screen, a graphics display and a graphics image processor operable to display images representative of at least the first ink data on the graphics display, and a data processor operable in combination with a wireless communications processor to communicate the first ink data from the mobile graphics display device to another graphics display device, to receive other ink data created by the other graphics display device, the other ink data being representative of other drawing action, the graphics image processor being operable to generate a representation of the other ink data with respect to the representation of the first ink data according to a common reference, wherein the data processor is operable in combination with the wireless communications processor to communicate a presence signal providing an indication that the mobile graphics device is available to send and move ink data to at least one other graphics display device of a predefined group of graphics display devices, to receive the presence signal from the other graphics display device, the presence signal being indicative that the other graphics display device is available to send and/or receive ink data from the mobile graphics display device, the data processor being

operable in response to the presence signal to display an indication on the graphics display screen that the other device is available to send and to receive ink data, and following receipt of the presence signal from the other graphics display device, to send and to receive the ink data to and from the other graphics display device, each graphics display device being provided with a Subscriber Identity Module associated with the same operator. For at least the same or similar reasons above, the independent Claim 25 is allowable over the prior art.

The independent Claim 30 is directed to a computer readable medium programmed with a computer program providing computer executable instructions, which when loaded on to a computer causes the computer to perform generating first ink data representative of drawing action applied to a touch sensitive display screen, displaying images representative of the first ink data on a graphics display, communicating the first ink data from the mobile graphics display device to another graphics display device, via a wireless communications link and receiving other ink data from the other graphics display device, the other ink data being representative of other drawing action, and receiving the other ink data and generating in combination with the graphics image processor a representation of the other ink data with respect to the representation of the first ink data, communicating a presence signal providing an indication that the mobile graphics device is available to send and receive ink data to at least one other graphics display device of a predefined group of graphics display devices, receiving the presence signal from the other graphics display device, the presence signal being indicative that the other graphics display device is available to send and/or receive ink data from the mobile graphics display device, in response to the presence signal, displaying an indication on the graphics display screen that the other device is available to send and to receive ink data, and processor being operable in response to the presence signal to display an indication on the graphics display screen that the other device is available to send and to receive ink data, and following receipt of the presence signal from the other graphics display device to send and to receive the ink data to and from the other graphics display device. For at least the same or similar reasons above, the independent Claim 30 is allowable over the prior art.

The independent Claim 32 is directed to an apparatus for exchanging hand drawn data, the apparatus comprising means for generating first ink data representative of drawing action applied to a touch sensitive display screen, means for displaying images representative of the first ink data on a graphics display, means for communicating the first ink data from the mobile graphics display device to another graphics display device, via a wireless communications link and receiving other ink data from the other graphics display device, the other ink data being

representative of other drawing action, and means for receiving the other ink data and generating in combination with the graphics image processor a representation of the other ink data with respect to the representation of the first ink data, means for communicating a presence signal providing an indication that the mobile graphics device is available to send and receive ink data to at least one other graphics display device of a predefined group of graphics display devices, means for receiving a presence signal from the other graphics display device, the presence signal being indicative that the other graphics display device is available to send and/or receive ink data from the mobile graphics display device, means for displaying, in response to the presence signal, an indication on the graphics display screen that the other device is available to send and to receive ink data, and following receipt of the presence signal from the other graphics display device means for sending and receiving the ink data to and from the other graphics display device. For at least the same or similar reasons above, the independent Claim 32 is allowable over the prior art.

For the reasons given above, Applicants respectfully submit that all of the pending claims are now in condition for allowance, and allowance at an early date would be greatly appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

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Respectfully submitted,

HAVERSTOCK & OWENS LLP

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Dated:    November 16, 2009      By:    /Jonathan O. Owens/

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